



Atty. Dkt. No. 017661-0178

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masanori TAKETSUGU  
Title: METHOD FOR CONTROLLING  
TRANSMISSION CAPACITY  
COMMUNICATION SYSTEM  
Appl. No.: 09/878,251  
Filing Date: June 12, 2001  
Examiner: Unassigned  
Art Unit: 2681

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INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

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The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

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**RELEVANCE OF EACH DOCUMENT**

The foregoing documents came to Applicant's attention during a search of the corresponding European application. A copy of the European Search Report setting forth the portion of each reference considered relevant by the examiner is attached. All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be

enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date Feb. 13, 2003

By Thomas S. Blodgett <sup>Reg. No.</sup> 43,438

FOLEY & LARDNER  
Customer Number: 22428



22428

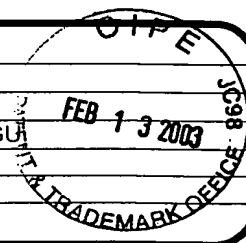
PATENT TRADEMARK OFFICE

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Registration No. 26,257

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: February 13, 2003 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>													
Sheet		1	of	1	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>09/878,251</td> </tr> <tr> <td>Filing Date</td> <td>06/12/2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Masanori TAKETSUGU</td> </tr> <tr> <td>Group Art Unit</td> <td>2681</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>017661-0178</td> </tr> </table>	Application Number	09/878,251	Filing Date	06/12/2001	First Named Inventor	Masanori TAKETSUGU	Group Art Unit	2681	Examiner Name	Unassigned	Attorney Docket Number	017661-0178
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	5,905,719		Arnold et al.	05/18/1999	

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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A2	WO	99/05830		TELEFONAKTIEBOLAGET LM ERICSSON	02-04-1999		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A3	THYAGARAJAN NANDAGOPAL et al., "Service Differentiation Through End-to-end Rate Control in Low Bandwidth Wireless Packet Networks," University of Illinois at Urbana-Champaign, Coordinated Science Laboratory, 1999, IEEE, Pages 211-220.	
	A4	MALATHI FRANCIS et al., "A FLOW CONTROL FRAMEWORK FOR ABR SERVICES IN WIRELESS/WIRED ATM NETWORKS," Univ. of Waterloo, Dept. of Elec. & Comp. Eng., 1999, IEEE, Pages 1156-1160.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.